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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,456	10/16/2003	David S. Benco	LUC-437/Benco 32-2-26	8735
32205 7590 06/28/2007 PATTI, HEWITT & AREZINA LLC ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			EXAMINER TAYLOR, NICHOLAS R	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 06/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/687,456

Applicant(s)

BENCO ET AL.

Examiner

Nicholas R. Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-20 have been examined and are rejected.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 10 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claims 10 and 13 duplicate the limitations present in independent claim 8.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-8, 10-15, and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hotti (U.S. PGPub 2003/0236874).

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6. As per claims 1, 8, and 15, Hotti teaches a method for providing network support for reconfiguration of mobile configuration data for a mobile station, comprising the steps of:

storing mobile configuration data for a mobile station in a mobile subscriber database in the mobile station; (Hotti, paragraphs 0070-0071)

storing the mobile configuration data in a network subscriber database in the network; (Hotti, see subscriber databases 302, 304, and 306 of fig. 3 and paragraphs 0072-0073)

changing, via one user interface of a plurality of user interfaces, the mobile configuration data in the network subscriber database; and automatically synchronizing, in response to the changing of the mobile configuration data in the network subscriber database, the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station; (Hotti, see, e.g., the synchronization process of paragraphs 0072-0074)

wherein the mobile configuration data in the network subscriber database is a master copy (Hotti, paragraph 0072).

7. As per claims 3, 10, and 18, Hotti teaches the system further wherein the synchronizing of the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station is performed automatically upon occurrence of the changing of the mobile configuration

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data in the network subscriber database (Hotti, see, e.g., the synchronization process of paragraphs 0072-0074).

8. As per claims 4, 11, and 19, Hotti teaches the system further wherein the synchronizing of the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station is performed upon sending a sync request from the mobile station to the network (Hotti, paragraph 0105).

9. As per claims 5, 12, and 20, Hotti teaches the system further wherein the network has a networked-based feature that provides at least one of periodic uploads of the mobile configuration data from the mobile station to the network and periodic downloads of the mobile configuration data from the network to the mobile station, and wherein the synchronizing of the mobile configuration data in the mobile subscriber database with the mobile configuration data in the network subscriber database of the mobile station is performed automatically upon occurrence of uploading and/or downloading of the mobile configuration data (Hotti, see, e.g., the synchronization process of paragraphs 0072-0074).

10. As per claims 6 and 13, Hotti teaches the system further wherein the mobile configuration data in the network subscriber database is a master copy (Hotti, paragraph 0072).

11. As per claims 7 and 14, Hotti teaches the system further wherein the network is the focus of storage of the mobile configuration data and synchronization events with the mobile station (Hotti, paragraph 0072; see fig. 3 structure and also replica database information of paragraphs 0069-0072).

12. As per claim 17, Hotti teaches the system further wherein the user interface is a personal computer that is operatively connected to the mobile station (Hotti, paragraph 0064).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2, 9, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hotti (U.S. PGPub 2003/0236874) and Liljestrand et al. (U.S. Patent 6,853,714).

15. As per claims 2, 9, and 16, Hotti teaches a user interface, including a computer based application using a predetermined link to the mobile station, and direct input to the mobile station (Hotti, paragraphs 0063-0064), yet fails to teach a user interface

comprising a conversant voice system and a web-based graphical user interface application over the Internet.

Liljestrand teaches a method of providing enhanced telecommunication services to subscribers by enabling a voice system and web-based graphical user interface for subscriber (Liljestrand, col. 44-54; col. 4, lines 13-36; see fig. 4).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Hotti and Liljestrand to provide the interfaces of Liljestrand in the system of Hotti, because doing so would allow a broader range of subscriber interfaces for access services in their mobile system (Liljestrand, col. 2, lines 7-35).

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes:

U.S. PGPub 2002/0107920, which describes a method of data synchronization management using a centralized identity server;

U.S. PGPub 2004/0142711, which describes a method of mobile station synchronization between multiple mobile devices; and

U.S. PGPub 2004/0024795, which describes a method of managing synchronization data in mobile station systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-

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3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT 6-21-07

Nicholas Taylor  
Examiner  
Art Unit 2141

  
JASON CARDONE  
SUPERVISORY PATENT EXAMINER